

REMARKS

Reconsideration and withdrawal of the rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-48 remain pending in the application. Claims 1-24 have been withdrawn from consideration. Of the elected claims, Claims 25 and 36 are independent. Claims 25, 35, 36, and 46 have been amended herein.

Claims 25-27, 30, 33-38, 41, and 44-46 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,515,697 (Yamada et al.) in view of U.S. Patent No. 6,111,662 (Satoh et al.), and further in view of U.S. Patent No. 5,432,871 (Novik). Claims 28 and 39 were rejected under § 103 in further view of U.S. Patent No. 6,188,431 (Oie). Claims 29, 31, 32, 40, 42, and 43 were rejected under § 103 as being unpatentable over Yamada et al. in view of Satoh et al. and Novik and further in view of U.S. Patent No. 6,282,362 (Murphy et al.). Claims 47 and 48 were rejected under § 103 as being unpatentable over Yamada et al. in view of Satoh et al. and Novik and further in view of U.S. Patent No. 6,300,976 (Fukuoka). These rejections are respectfully traversed.

As is recited in independent Claim 25, the present invention relates to an image transmission apparatus comprising transfer means for transferring to an external apparatus data amount information indicating the amount of target image data and information of a priority order of the target image data, reception means for receiving from the external apparatus a response signal indicating whether or not the external apparatus will accept transmission of the target image data in accordance with the data amount information, the information of priority order, and a free storage capacity of storage means to store the target image data in the external apparatus, the response signal including information of image data selected by a user input at the external apparatus based on the data amount information and the information of the priority order, and control means for

controlling transmission of the target image data in accordance with the response signal received by said reception means indicating whether or not the external apparatus will accept transmission of the target image data.

As is recited in independent Claim 36, the present invention further relates to an image reception apparatus comprising reception means for receiving from an external apparatus a transfer including data amount information indicating the amount of target image data and information of a priority order of the target image data to be received from the external apparatus, detection means for detecting the free storage capacity of storage means for storing the target image data, output means for outputting an indication on a screen indicating acceptance to receive the target image data in accordance with the data amount information, the information of priority order and the free storage capacity, transmission means for transmitting to the external apparatus a signal indicating whether or not the target image data is accepted, wherein the signal includes information of image data selected by a user input based on the data amount information, the information of priority order, and the free storage capacity, and image reception means for transmitting to the external apparatus the signal indicating whether or not the external apparatus is permitted to transmit the target image data, and for receiving the target image data transmitted by the external apparatus in response to the signal transmitted by said image reception means.

Support for the amendments to the claims can be found in the specification at least at page 37, lines 12-26. Of course, the claims are not intended to be limited in scope to this preferred embodiment.

The digital camera of Yamada et al. includes a detachable auxiliary memory. In a copy mode, image data stored in a main memory upon photographing is transferred and copied to a detachable auxiliary memory by way of a bus. During copying, the number of uncopied image data in the main memory and the number of image data which can be copied to the auxiliary memory are sequentially displayed in a liquid crystal

display section, while each image data is copied with management data indicative of the date and time of copying or the like added thereto. However, as recognized by the Examiner, Yamada et al. does not disclose or suggest transferring to an external apparatus information of a priority order of target image data and receiving from the external apparatus a response signal based on information of the priority order. It is also respectfully submitted that Yamada et al. does not disclose or suggest that the response signal includes information of image data selected by a user input at the external apparatus based on the data amount information and the information of the priority order, as is now recited in independent claim 25. Nor does Yamada et al. disclose or suggest transmitting to the external apparatus a signal indicating whether or not target image data is accepted, wherein the signal includes information of image data selected by a user input based on data amount information, information of a priority order, and free storage capacity, as is recited in independent claim 36.

Thus, Yamada et al. fails to disclose or suggest important features of the present invention recited in independent claims 25 and 36.

Satoh et al. is directed to an electronic imaging apparatus in which a decompression file and a control file are retrieved and read out so as to process a transmission program, so as to transmit image files and sound files. Figure 33 suggests that in Satoh et al. captured images are transferred in a captured order. However, Applicant submits that Satoh et al. does not teach that the image receiving side transmits, to an image transmitting side, a response signal including information of image data selected by a user input based on priority order information received from the image transmission side. Accordingly, Satoh et al. fails to remedy the deficiencies of Yamada et al. noted above with respect to independent claims 25 and 36.

Novik is directed to an interactive image data transmission system that can use the expertise of an image end user distant from the image collection point. The

receiving station 104 can send information along control signal channel 108 to transmitting station 102. Control signal channel 108 is used to transmit a relatively small amount of control data. However, Novik does not disclose or suggest a signal including information of image data selected by a user input based on data amount information and information of priority order. Therefore, Novik fails to remedy the deficiencies noted above with respect to independent claims 25 and 36.

The remaining citations have been reviewed, but are also not believed to remedy the deficiencies of the citations discussed above.

Thus, independent Claims 25 and 36 are patentable over the citations of record. Reconsideration and withdrawal of the § 103 rejections are respectfully requested.

For the foregoing reasons, Applicant respectfully submits that the present invention is patentably defined by independent Claims 25 and 36. Dependent Claims 26-35 and 37-48 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicant submits that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Mark A. Williamson', is written over a horizontal line.

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